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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,898	03/31/2004	Chiang-Lung Cheng	FP10083	4991
7590		12/19/2005	EXAMINER	
Leong C. LEI		CAMPBELL, KELLY E		
PMB# 1008		ART UNIT		
1867 Ygnacio Valley Road		3618		
Walnut Creek, CA 94698		PAPER NUMBER		

DATE MAILED: 12/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/812,898

Applicant(s)

CHENG, CHIANG-LUNG

Examiner

Kelly E. Campbell

Art Unit

3618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-2 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Regarding claims 1 and 2, the phrase "net-like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 2 is rejected under 35 U.S.C. 102(b) as being anticipated by Hagglund (US 2,792,254).

Art Unit: 3618

Hagglund teaches a protective grille (12) for a car, having a main frame body (24), a metallic net-like protective grille (22) and engaging grip (28), characterized in that the:

main frame body (24) is a framework having a hollow center section, see Figure 3, so that the frame edge of the framework is formed into a side rim edge, see Figure 5 and 2, lines 33-53, and a plurality of support rods (not shown) are connected to and support the main frame body, see Column 2, lines 68-72 and Column 3, lines 1-9; the metallic net-like protective grille (22) is provided with a plurality of net holes which is mounted in correspondence with the hollow center section, and a folded edge, see Figure 5, is provided to the rim edge of the main frame body; one end (30) of the engaging grip (28) is a grip end corresponding to the net holes which surround the support rod through the grip end; thereby the hollow center section of the main frame body is mounted with the protective grille, the engaging grip is correspondingly passed through the net holes, and the support rod, see Column 2 and 3.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hagglund (US 2,792,254) in view of Biewald (US 2,868,308).

Art Unit: 3618

Hagglund teaches a protective grille (12) for a car having a main frame body (24), a metallic net-like protective grille (22), characterized in that the:

main frame body (24) is a framework having a hollow center section, see Figure 3, so that the frame edge of the framework is formed into a side rim edge, see Figure 5 and 2, lines 33-53, and a plurality of support rods (not shown) are connected to and support the main frame body, see Column 2, lines 68-72 and Column 3, lines 1-9; the metallic net-like protective grille is provided with a plurality of net holes which is mounted in correspondence with the hollow center section, and a folded edge is provided to the rim edge of the main frame body; one end of the mounting belt is a positioning end corresponding to the net holes which surround the support rod through the positioning end; thereby the hollow center section of the main frame body is mounted with the protective grille, Hagglund does not teach a mounting belt.

Biewald teaches a protective grille (30) for a vehicle, wherein the vehicle includes a support rod (120) supporting the main frame and corresponding to side rim edges of a protective grille frame (30), wherein a mounting belt (110) is correspondingly passed through the net holes, and the support rod (120), see Figure 2 for securing the protective covering to the vehicle grille.

Art Unit: 3618

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify grille attachment means or engaging grip for the protective covering taught by Hagglund to have a grille attachment means in the form of a belt as taught by Bieweld, in order to provide an alternate means of easily detaching the grille cover, see Column 3, lines 53-67 Hagglund.

### ***Conclusion***


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Goodykoontz teaches a net grille cover for a vehicle secured by belts. Fuener et al teaches a vehicle main body forming a side edge receiving a grille. Mittendorf teaches a grille protector secured by belts. Mastin teaches a grille protector screen secured to the vehicle. Ziegler teaches a grille protective screen secured to the grille of a vehicle. Ishlizumi et al teaches a grille protector screen secured to a grille of a vehicle.

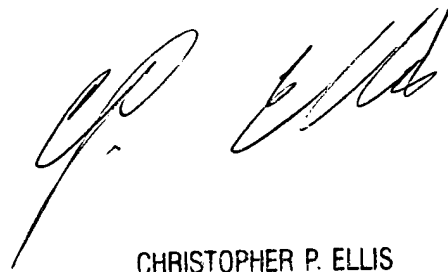
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelly E. Campbell whose telephone number is (571) 272-6693. The examiner can normally be reached on 9:00-5:30 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Ellis can be reached on (571) 272-6914. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3618

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
KEC

  
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